

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET													
CR No: 20-1705 WJ				USA vs. Subia									
Date: 2/28/2023				Name of Deft: Anthony Subia									
Before the Honorable: Chief District Judge William P. Johnson													
Time In/Out:		10:09am – 10:39am				Total Time in Court (for JS10):		30 minutes					
Clerk/Law Clerk:		R. Garcia/none				Court Reporter:		M. Loughran					
AUSA:		Nora Wilson				Defendant's Counsel:		Susan Burgess-Farrell					
Sentencing in:		Albuquerque, NM				Interpreter:		N/A					
Probation Officer:		PO Jon-Paul Barabe and PTSO Beatrice Manzanares				Interpreter Sworn?				Yes		No	
Convicted on:		<input checked="" type="checkbox"/> Plea				Verdict		As to:				<input checked="" type="checkbox"/> Indictment	
If Plea:		<input checked="" type="checkbox"/> Accepted				Not Accepted		Adjudged/Found Guilty on Counts: Counts 1, 2, 3, 4, and 5					
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted				Not Accepted				No Plea Agreement		Comments:	
Date of Plea/Verdict:		9/30/2022		PSR:		<input checked="" type="checkbox"/> Not Disputed				Disputed		Courts adopts PSR Findings	
Evidentiary Hrg:		<input checked="" type="checkbox"/> Not Needed				Needed				Exceptions to PSR:			
<b>SENTENCE IMPOSED</b>				Imprisonment (BOP):									
Supervised Release:										Probation:			
REC		500-Hour Drug Program				BOP Sex Offender Program				Other:			
ICE		Court recommends ICE begin removal proceedings immediately or during service of sentence										ICE not applicable	
<b>SPECIAL CONDITIONS OF SUPERVISION</b>													
If the Defendant is deported, he shall not re-entry the U.S. without legal authorization				Home confinement for months/days									
Comply with ICE laws and regulation				Community service of X hours									
Participate in outpatient substance abuse treatment program				Reside at halfway house for 180 days									
Submit to substance abuse testing not to exceed 60 test per year				Undergo a sex offense-specific assessment and participate in sex offender treatment program, if deemed necessary									
Participate in/successfully complete mental health treatment program				If recommended in the sex offense-specific assessment, you must begin attending and participating in sex offender treatment consistent with the recommendations of the evaluation									
Must take all mental health medications that are prescribed by your treating physician				Register as sex offender									
Must not use/possess alcohol and submit to no more than 4 tests a day				Participate in sex offender treatment program									
Submit to search of person/property				Possess no sexual material									
No contact with victim(s), gang members, co-conspirators				No computer with access to online services									
No entering or loitering near victim's residence				No contact with children under 18 years									
Provide financial information				No volunteering where children supervised									
Waive right of confidentiality for treatment providers				Restricted from occupation with access to children									
Must not knowingly use or possession of synthetic cannabinoids, etc.				No loitering within 100 feet of school yards									
No possession of a firearm, ammunition, destructive device or any other dangerous weapon				Participate in an educational/vocational program									
You must not possess, sell, offer for sale, transport, cause to be transported, cause to affect interstate commerce, import, or export any drug paraphernalia				Participate in anger management/parenting/domestic violence program									
OTHER:													
Fine: \$						Restitution: \$							
SPA: \$						Payment Schedule:				Due Immediately		Waived	
OTHER:													

	Advised of Right to Appeal		Waived Appeal Rights per Plea Agreement
<b>X</b>	Deft remains on conditions of release		Voluntary Surrender
	Recommended place(s) of incarceration:		
	Dismissed Counts:		
<p>OTHER COMMENTS:</p> <p>Ms. Burgess-Farrell advises PSR reviewed with client; no objections/correction; Court notes Defendant is safety valve eligible and will accept the parties' plea agreement.  PTSO Manzanares addresses the Court; notes Defendant has been completely compliant; is employed; lives with his parents; no positive UAs; working on sobriety; participating and attending counseling.  Ms. Wilson addresses the Court; recommends low end of the guideline range of 121 months.  The Court advises counsel that Probation has identified grounds for a variance to a term of 60 months.  Ms. Burgess-Farrell addresses the Court on behalf of her client; requests time served sentence.  Defendant addresses the Court.  Court questions the Defendant.  The Court will not move to sentencing today and will allow Defendant to earn the variance requested;  Court will review the matter periodically by telephone conference; Defendant may attend if he wishes to but is not required to do so.</p>			